

GENERAL ORDERS, }

No. 89.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, April 6, 1863.

I..The case of 1st Lieutenant *J. M. Garland*, 42d New York Volunteers, having been submitted to the Judge Advocate General, the following facts appear from his report, viz:

"On the 27th of February last a letter was addressed to the Reverend Elliott H. Thompson, Shanghai, China, and deposited in the post office of this city. The stamps upon it, however, amounted to but thirty-six of the ninety cents required to be prepaid, and it was, in consequence, returned to the General Post Office, to be there examined under the regulations, with a view to its restoration to the writer. On opening it, it was found to be from Lieutenant *J. M. Garland*, of United States Volunteers, and to disclose on his part a state of feeling towards the Administration, and towards the rebels making war upon the Government, which seems to be in complete conflict with the duties imposed upon him by the sword he wears.

"After some discussion of political topics, and comments upon current events, Lieutenant *Garland* says that 'the Administration have at last shown their hands, and that their principles and their hearts are blacker than the 'nigger' they are fighting for;' and he pronounces the President's proclamation 'as unconstitutional as it is unjust.' He explains to his friend that, while entertaining these sentiments, he does not resign, though anxious to do so, because 'to tender his resignation now would be to ask his disgrace,' and for the further reason that recently, at his own request, he had been transferred from the Quartermaster's Department to the Ambulance Corps, which he alleges will prevent him 'from coming into actual contact with the South,' and will enable him, during an action, 'to render the same assistance to the other side as well as his own men.' He adds: 'At Antietam I had the pleasure of bringing from the field a large number of Confederates, among them some of our old friends, all of whom I saw well cared for, and some of whom I have heard from since their return.' He further states that when he saw Fredericksburg bombarded 'tears ran down his cheeks, and he cried like a child.' He appears to have found only sorrow in the service, except where enjoying the

'pleasure' of ministering to the comfort of those who had been wounded while stabbing at the life of the country whose commission he held.

"It is difficult to conceive of a position of deeper dishonor than that in which this officer has placed himself by the treacherous concealment of his sentiments from the government whose confidence he was enjoying, and upon whose treasury he was living. Although not seeming to realize this self-inflicted degradation himself, he appears to be conscious that it would be realized by others, were his real opinions and feelings to become known. Hence he says: 'Were it known that these were my sentiments, I would not only be summarily dismissed the service, but probably boarded, at the expense of Uncle Sam, in Fort Lafayette, or some other sea-side prison, for the benefit of my health, until the war is over.' "

It is entirely certain that no public interest can be safe in the hands of an officer so hostile to the Administration charged with the conduct of the war, and so profoundly sympathizing with the rebels, as Lieutenant Garland has confessed himself to be.

Although up to this time, so far as known, his sympathy has manifested itself only in weeping when one of the enemy's strongholds was bombarded, and in rejoicing when ministering to the wants of wounded rebels, no guaranty exists that at some critical conjuncture in our military movements, this sympathy would not take a more active and manly, and, for the government, a far more fatal form of development.

1st Lieutenant *J. M. Garland*, of the 42d New York Volunteers, is therefore, by direction of the President, dishonorably dismissed the service of the United States.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Assistant Adjutant General.